

**Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Washington, D.C.**

In the Matter of:

Adjustment or Determination of
Compulsory License Rates for Making and
Distributing Phonorecords

Docket No. 2011-3
Phonorecords II

PETITION TO PARTICIPATE

The American Association of Independent Music (“A2IM”) submits this Petition to Participate on its own behalf and on behalf of its members in response to the Copyright Royalty Judges’ Notice announcing the date for submission of Petitions to Participate in “the proceeding to determine the reasonable rates and terms for making and distributing phonorecords.” 76 Fed. Reg. 590 (Jan. 5, 2011).

A2IM is the not-for-profit trade organization serving the Independent music community as a unified voice representing a sector that comprises over 30% of the music industry’s market share in the United States (and over 37% of SoundScan digital sales). The organization represents the Independents’ interests in the marketplace, in the media, on Capitol Hill, and as part of the global music community. A2IM’s members are located across the United States and A2IM is headquartered in New York City. The organization’s board of directors is comprised of the following: Concord Music Group President Glen Barros; Sub Pop VP Business Affairs Eric Brown; tinyOGRE Entertainment COO Jim Cooperman; Epitaph General Manager Dave Hansen; Razor & Tie Executive Vice President Dan Hoffman; The Beggars Group CEO/Founder Martin Mills; Lookout Records co-owner Molly Neuman; Kill Rock Stars President Portia Sabin; Tommy Boy CEO/Founder Tom Silverman.. More information can be found at www.A2IM.org.

Historically many of our members obtain their mechanical licenses under Section 115 of the Copyright Act. Accordingly, A2IM and its members have a significant interest in the royalty rates and the terms that are the subject of this proceeding. *See* 17 U.S.C. § 803(b)(1)(B).

A2IM continues to participate in the negotiations on mechanical royalty rates with representatives of music publishers. A2IM is hopeful that an agreement will be reached and CRB proceedings will be avoided. However, if CRB proceedings are required to set terms and rates for the Section 115 compulsory license, A2IM intends to participate fully in any such proceedings.

Pursuant to 37 C.F.R. § 351.1(b)(1), A2IM provides the following contact information:

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Pursuant to 37 C.F.R. § 351.1(b)(4), A2IM is submitting the required filing fee of \$150 in connection with this Petition to Participate. Respectfully submitted,

S/ Richard Bengloff
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February 1, 2011